

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION**

Jane Doe 8 ¹ ,)
)
Plaintiff,)
)
v.)
)
Varsity Brands, LLC, Varsity Spirit, LLC,)
Varsity Brands Holding Company, Inc.,)
U.S. All Star Federation, Inc. d/b/a U.S.)
All Star Federation, USA Federation)
for Sport Cheering d/b/a USA Cheer,)
Charlesbank Capital Partners, LP, Bain)
Capital, LP, Jeff Webb, individually,)
Rockstar Cheer & Dance, Inc., Katherine)
Anne Foster as the personal representative)
of the Estate of Scott Foster, Kathy Foster,)
individually, Josh Guyton, Christopher)
Hinton, Traevon Black a/k/a Trey Black)
n/k/a Tracey Black, and other unknown)
defendants,)
)
Defendants.)
)

**PLAINTIFF'S RESPONSES TO
LOCAL RULE 26.01
INTERROGATORIES**

Plaintiff hereby responds to Local Rule 26.01 Interrogatories as follows:

(A) State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

RESPONSE: None known.

(B) As to each claim, state whether it should be tried by jury or nonjury and why.

¹ Given the nature of the subject matter as well as the potential for harm that exists against those who come forward to inform against Defendants, the Plaintiffs in this matter will be identified only as Jane Does or John Does in conjunction with the factual underpinnings on this complaint. *See B.R. v. F.C.S.B.*, 17 F.4th 485 (4th Cir. 2021).

RESPONSE: In the operative complaint, Plaintiff has set forth causes of action as follows:

(1) Violation of the Protecting Young Victims Act, 18 U.S.C § 2255; (2) Violation of the RICO Act, 18 U.S.C. §§1962(c) and (d); (3) Violation of the South Carolina Unfair Trade Practices Act, S.C. Code Ann. § 39-5-20; (4) gross negligence; (5) negligent supervision; (6) assault and battery; (7) breach of contract; (8) unjust enrichment; (9) fraud; (10) negligent security; and (11) civil conspiracy.

Each of these claims should be tried to a jury.

(C) State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

RESPONSE: The Plaintiff is not a publicly owned corporation.

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

RESPONSE: Plaintiff's claims arise out of a common nexus of operative fact involving Defendants Rockstar Greenville, and Scott and Kathy Foster, all of whom are entities or individuals located, organized, or existing in Greenville County, South Carolina.

(E) Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which may be related regardless of whether they are still pending. Whether cases are related such that they should

be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

RESPONSE: This action contains at least some factual overlap, along with some of the same parties, as a case filed in the court of common pleas in Greenville County, South Carolina on Tuesday, August 30, 2022, and bearing the caption, *John Doe as next friend of Jane Doe v. Estate of Scott Foster, et al*, 2022-CP-23-04753. This action also contains factual overlap, as well as some of the same parties, as the matter known as *Jane Doe I, et al v. Varsity Brands, LLC, et al.*, Case No. 6:22-cv-02957-HMH, currently pending before this Court. Finally, this case contains similar case parties and causes of action as the matter known as *Mary Doe I for John Doe I, et al v. Varsity Brands, LLC, et al*, Case No. 2:22-cv-02657-JTF-tmp, pending in the Western District of Tennessee.

This 11th day of October, 2022.

STROM LAW FIRM, LLC

s/ Bakari T. Sellers

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